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**General Assembly**
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**The situation in the Middle East**

**Security Council**
**Fifty-seventh year**

## Letter dated 13 February 2002 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

I should like to inform you that there were 44 Israeli aerial, terrestrial and maritime violations of Lebanese sovereignty during the month of January 2002, broken down as follows:

(a) Twenty-three aerial violations by Israeli warplanes;

(b) Nine aerial violations by reconnaissance aircraft;

(c) Four aerial violations by helicopters;

(d) Three naval violations of Lebanese territorial waters;

(e) One air raid in which localities in Lebanese territory were bombed;

(f) Two violations in which localities in Lebanese territory came under artillery and other fire;

(g) Two violations in which there were encroachments on Lebanese territory.

The incursions and encroachments committed by Israel in the air, on the ground and at sea are in violation of the Blue Line and contravene the provisions of Security Council resolution 425 (1978). They undermine stability and create a climate of tension in the region.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 42, and of the Security Council.

(*Signed*) Sélim **Tadmoury**
Ambassador
Permanent Representative

02-25286 (E) 140202 140202

United Nations S/2002/168

Security Council

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## Letter dated 13 February 2002 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General

I would like to inform you that, pursuant to Security Council resolution 1386 (2001), the Government of Greece has approved the participation in the International Security Assistance Force of 134 military personnel, 2 C-130 Hercules carrier aircraft, 45 Air Force Military personnel, 11 men of the National Support Element and 5 liaison officers, under the leadership of the United Kingdom of Great Britain and Northern Ireland.

I would appreciate it if the present letter could be circulated as a document of the Security Council.

(*Signed*) Elias **Gounaris**
Ambassador
Permanent Representative

02-25383 (E) 140202

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Security Council

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**Letter dated 13 February 2002 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council**

On instructions from my Government, I have the honour to forward to you a copy of a letter dated 5 February 2002 from Uganda's Minister of Defence, Hon Amama Mbabazi, addressed to Amos Ngongi Namanga, Special Representative of the Secretary-General to the Democratic Republic of the Congo, concerning the increase in violence in northeastern Democratic Republic of the Congo (see annex).

I should be grateful if you could have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Semakula **Kiwanuka**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Uganda to the United Nations

02-25395 (E) 150202

## Annex to the letter dated 13 February 2002 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council

**Increased deteriorating security situation in northeastern Democratic Republic of the Congo**

I acknowledge receipt of your letter dated 2 February 2002 concerning the increase in violence in northeastern Democratic Republic of the Congo.

We had withdrawn our troops because of the persistent misrepresentation of the Uganda People's Defence Forces (UPDF) role in the problems of the area and the consequent malignment that the Government of Uganda suffered. No one, including the United Nations, came to our defence, although it was clear that the UPDF role was positive.

The Uganda Government, therefore, welcomes your recognition of this and will immediately redeploy in the areas of tribal conflict to restore security.

(*Signed*) Amama **Mbabazi**
Minister of Defence

United Nations S/2002/169

Security Council

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# Tenth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo

## I. Introduction

1. The present report is submitted in accordance with Security Council resolution 1355 (2001) of 15 June 2001, by which the Council decided to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) until 15 June 2002 and to review progress at least every four months on the basis of the reports of the Secretary-General.

## II. Political developments

2. During the period under review, some encouraging bilateral and multilateral contacts were made between the countries involved in the conflict in the Democratic Republic of the Congo. Progress was also made in an attempt to harmonize the positions of different Congolese actors vis-à-vis the inter-Congolese dialogue. Nevertheless, the period also witnessed the realignment of political and military alliances of armed rebel groups, resulting in an intensified level of fighting in the north-eastern part of the country (see paras. 25-30). While MONUC generally continued to receive cooperation on the implementation of its mandate from the parties concerned, the Rassemblement Congolais pour la démocratie-Goma (RCD-Goma) posed some difficulties over the Mission's deployment plans and regrettably no major progress has been made with regard to an agreement between the Governments of the Democratic Republic of the Congo and Rwanda on the disarmament, demobilization, repatriation, resettlement and reintegration of armed groups mentioned in the Lusaka Agreement. For its part, MONUC has focused its efforts on securing the cooperation required for its phase III deployments, further planning and coordination of the disarmament, demobilization, repatriation, resettlement and reintegration process, and planning the assistance the Mission could provide for the demilitarization of Kisangani in accordance with resolution 1376 (2001).

### Regional consultations

3. The Deputy Prime Minister and Minister for Foreign Affairs of Belgium, Louis Michel, led a delegation of the troika of the European Union to the Democratic Republic of the Congo on 21 November, as part of a six-nation tour in Central Africa aimed at demonstrating the European Union's commitment to supporting the Lusaka and Arusha peace processes. While in the Democratic Republic of the Congo, the delegation advocated an early convening of the inter-Congolese dialogue and the implementation of the disarmament, demobilization, repatriation, resettlement and reintegration of the armed groups, and discussed the modalities for the resumption of cooperation between the European Union and the Democratic Republic of the Congo. Following that visit, my Special Representative, Amos Namanga Ngongi, visited some European capitals from 3 to 7 December to consult on the peace process in the Democratic Republic of the Congo with concerned Governments.

4. On 7 January, the Minister for Foreign Affairs of Burundi, Thérence Sinunguruza visited the Democratic Republic of the Congo and met with the President,

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Joseph Kabila. In the joint communiqué issued on the occasion of that visit, both Governments agreed, inter alia, to restore the climate of mutual confidence. The Government of the Democratic Republic of the Congo also undertook to facilitate the participation of the Burundian armed rebel groups in the Arusha peace process and to take measures to prevent its territory from being used as a base for attacks on Burundi. For its part, Burundi undertook to proceed with the withdrawal of its troops from the territory of the Democratic Republic of the Congo. A technical meeting is to be held at Bujumbura in February to follow up on those commitments. In the meantime, the Governments of the Democratic Republic of the Congo and Burundi have requested the United Nations to deploy military observers along their border to monitor the implementation of the agreement.

5. The President of Rwanda, Paul Kagame, made a two-day visit to Angola on 8 and 9 January, after which he and the President of Angola, José Eduardo dos Santos, decided to intensify their consultations. The President of Uganda, Yoweri Museveni, also sent a special message to the President of Angola through his special envoy, the Defence Minister of Uganda, Amama Mbabazi.

6. On 8 January, high-level representatives of the Democratic Republic of the Congo, Angola, Rwanda and Uganda met in Luanda to examine the possibilities of an agreement among the four countries that could add momentum to the Lusaka Agreement. Angola proposed that a specific agreement be reached by all belligerent States on the withdrawal of their troops from the territory of the Democratic Republic of the Congo. In Angola's view, that accord, which is yet to be finalized, would allow the countries concerned to commit themselves more firmly to the provisions of the Lusaka Ceasefire Agreement relating to withdrawal of foreign troops.

7. The Southern African Development Community (SADC) held an extraordinary summit at Blantyre, on 14 January 2002, to discuss the situation in the Democratic Republic of the Congo. The heads of State and Government of Angola, Botswana, the Democratic Republic of the Congo, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Uganda, the United Republic of Tanzania, Zambia and Zimbabwe were present. The leaders of the Mouvement pour la libération du Congo (MLC) and RCD-Goma were also present in Blantyre, and met briefly with President Kabila at the invitation of Joachim Chissano, President of Mozambique and Chairman of the SADC Organ for Defence and Security; no substantive issues were discussed, however.

8. The Minister for Foreign Affairs of France, Hubert Védrine, and his United Kingdom counterpart, Jack Straw, visited Kinshasa, Kigali and Kampala from 21 to 23 January.

9. On 26 January, in a speech commemorating the first anniversary of his ascent to power, President Kabila emphasized, inter alia, his Government's commitment to the inter-Congolese dialogue, cooperation with the phase III deployment of MONUC and the need for the Rwandan troops to withdraw from the Democratic Republic of the Congo. He also announced that he had requested the Security Council to establish an international commission of inquiry to investigate the nature of the Rwandan armed groups in the Democratic Republic of the Congo. The proposal for an international commission was reiterated by the Minister for Foreign Affairs of the Democratic Republic of the Congo, Léonard She Okitundu, in the Security Council on 29 January.

10. In regard to the activities of the Political Committee, my Special Representative also met with the Minister for Foreign Affairs of Angola, João Bernardo de Miranda, in Luanda on 28 January to discuss recent developments in the peace process and to determine the timing of the next meeting of the Committee, which is expected to be held during the second week of February.

11. President Kagame and President Museveni met on 6 November in London, under the auspices of the Government of the United Kingdom of Great Britain and Northern Ireland, and reached an agreement on the principle of non-interference in the political and security situation in each other's country. The Agreement and the accompanying memorandum of understanding also provided for joint investigations of suspected Rwandan and Ugandan rebel training sites in each other's territory, as well as inside the Democratic Republic of the Congo, for which the assistance of MONUC would be solicited.

### Inter-Congolese dialogue

12. As agreed at the preparatory meeting held at Gaborone in August 2001, the inter-Congolese dialogue opened in Addis Ababa on 15 October 2001.

Although the parties decided that the Addis meeting marked the beginning of the dialogue, they did not succeed in addressing substantive issues, which prompted the facilitator to adjourn the session until the next meeting, which is to be held in South Africa

13. Efforts have since been made to pave the way for substantive discussions at the next plenary session of the dialogue by encouraging the parties to continue negotiations through informal channels. In close consultation with the office of the neutral facilitator, the Assistant Secretary-General for Political Affairs, Ibrahima Fall, has held three informal consultations with the Government, MLC and RCD, initially in New York on 9 and 12 November, during which the three Congolese parties had a useful exchange of views and decided to meet again.

14. The second informal consultation was held at Abuja from 6 to 8 December, again under the auspices of the Assistant Secretary-General. At the conclusion of the meeting, senior representatives of the three parties signed an agreement on the representation of various Congolese groups in the dialogue, which was one of the questions not resolved at the Addis Ababa meeting. In particular, the agreement reached at Abuja reduced the number of expected participants in the South Africa round of talks to 300 and ensured the inclusive character of the dialogue by extending participation to representatives of the Mayi-Mayi, religious groups, traditional chiefs, internal and external opposition not present at Gaborone, and the Congolese diaspora.

15. A third informal consultation was held at Geneva from 4 to 9 February. The three parties addressed the outstanding problems relating to representation in implementing the agreement reached in Abuja. They were also able, for the first time, to exchange views on key substantive issues; the Government and MLC had an extensive discussion on transitional arrangements, elections and the formation of a national army. RCD participated in the first part of the substantive discussions, but subsequently decided not to engage in the debate until its concerns regarding the military situation in the eastern Democratic Republic of the Congo were adequately addressed by the Government. The three parties have expressed their wish to continue informal contacts ahead of the meeting in South Africa by convening, as soon as practicable, a summit meeting of President Kabila, Jean-Pierre Bemba and Adolphe Onusumba.

16. In the meantime, the second meeting of the committee set up to review the implementation of the Republican Pact, signed at Gaborone last August, was held at Nairobi on 11 and 12 December under the chairmanship of the neutral facilitator. The Pact is an effort to implement a number of confidence-building measures in advance of the actual dialogue. In Nairobi, the parties agreed to ease procedures for travel among all provinces, called for the acceleration of efforts to restore goods illegally confiscated, and supported the Government's decisions to pay the salaries of civil servants throughout the national territory.

17. At the invitation of the Government of Belgium, and in the presence of observers from the facilitation, the United Nations, the Organization of African Unity and the European Union, representatives of the political opposition and civil society met informally in Brussels from 14 to 17 January to harmonize their views on the following issues: transition, elections, citizenship and the Constitution, and the armed forces.

### Political initiative of the Mayi-Mayi

18. Representatives of the Mayi-Mayi released on 5 February, on behalf of what is claimed to be the Mayi-Mayi "High Command", a press statement urging a peaceful resolution to the conflict and a ceasefire on all fronts, and demanding for the Mayi-Mayi the same representation as the signatories to the Lusaka Agreement at all negotiations. The statement calls, among other things, for the help of MONUC in establishing contact with the Lusaka signatories; the application of relevant Security Council resolutions; and the immediate deployment of MONUC to the borders of the Democratic Republic of the Congo with Rwanda, Uganda and Burundi, as well as the demilitarization of Kindu and Kisangani. MONUC, which is in the process of expanding its political contacts with the Mayi-Mayi, is following up on this political initiative.

### Reopening of the River Congo

19. MONUC has continued to promote activities aimed at facilitating the reopening of the River Congo to both commercial and humanitarian traffic, as well as for the deployment and re-supply of MONUC contingents. During the period under review, MONUC actively facilitated negotiations between the Federation of Congolese Enterprises, the Government of the Democratic Republic of the Congo and MLC to enable

a convoy of barges to travel from Kinshasa to Bumba in MLC-controlled territory in the coming months. This would be the first commercial convoy to cross a confrontation line.

20. RCD, however, while accepting humanitarian and MONUC supply barges, has not yet allowed the resumption of commercial traffic on the river in the territory it controls. MONUC will continue to impress on RCD the need to urgently address this vital issue.

21. In the meantime, both the President of the Central African Republic, Ange-Félix Patassé, and the President of the Republic of the Congo, Denis Sassou-Nguesso have expressed appreciation to MONUC for the increased security on the river system thanks to the Mission's riverine patrols. Improved security has encouraged the return of commercial activity along the riverine borders of the two countries with the Democratic Republic of the Congo.

## III. Military developments

### General

22. The ceasefire along the confrontation line between the signatories to the Lusaka Agreement has now held for one year and has been actively monitored by MONUC military observers stationed along the line. Some further progress has also been achieved in the withdrawal of foreign forces from the territory of the Democratic Republic of the Congo. However, the security situation in many parts of the country remains very volatile, as demonstrated by the dangerous intensification of fighting between rebel groups in the north-eastern part of the country.

### Withdrawal of foreign troops

23. The Angolan military authorities have informed MONUC of the withdrawal of two Angolan police units from Lubumbashi and Kinshasa, and their readiness to withdraw others, depending upon progress in the peace process. This information, which is being verified by MONUC and the Joint Military Commission, is the first indication of withdrawals by Angola. According to information provided to MONUC by the Uganda People's Defence Forces (UPDF) on 26 December 2001, a total of 6,655 Ugandan troops have been withdrawn from the Democratic Republic of the Congo since 29 July 2000. UPDF are also expected to withdraw their contingent from Gbadolite in the near future. However, Uganda insists that three UPDF battalions are to remain in the eastern Democratic Republic of the Congo; the total number of troops in Orientale Province is thought to be between 2,500 and 3,000.

24. The situation in Orientale Province (see paras. 25-30) has however raised concerns that UPDF may further reinforce their presence in the eastern Democratic Republic of the Congo if fighting there continues. In a letter dated 14 January addressed to my Special Representative, the Ugandan Defence Minister stated that Uganda would deploy forces in the Aru, Mahagi and Kyavinyonge sectors in order to protect Uganda's security interests. In addition, UPDF have reinforced their position in Beni by reportedly deploying a new battalion there. At a meeting with my Special Representative on 25 January, however, President Museveni stated that the recent movements of Ugandan forces within the Democratic Republic of the Congo constituted a consolidation — not reinforcement — of their units.

### Situation in the north-east

25. Following the dissolution of the former FLC (merger of MLC and RCD-K/ML), a continuing shift of alliances on the ground involving MLC and factions of RCD-K/ML, possibly influenced also by external factors, is reflected in recent military confrontations between the forces of the two movements. On 16 November, RCD-K/ML took over administrative control of Bunia, and appointed a new administration in the region, forcing MLC troops to retreat to Equateur Province.

26. During the latter half of December 2001, a series of clashes initiated allegedly by elements of RCD-K/ML against territory controlled by MLC on the Bambesa-Poko-Isiro axis in Orientale Province were observed. After first retreating to what they referred to as their defensive positions, MLC forces then counter-attacked RCD-K/ML troops, forcing them to withdraw towards Isiro, where MONUC has a military observer team. RCD-K/ML urgently sought MONUC intervention to prevent a further MLC advance.

27. On 6 January, the Chairman of the Joint Military Commission, Brigadier General Mwaniki, at the request of MONUC, accompanied a MONUC team to Gbadolite to call upon the MLC leadership to resolve the dispute by peaceful means and to offer the good

offices of MONUC and the Commission to that end. A MONUC team in Isiro was sent to deliver the same message to RCD-K/ML. In response, the MLC leadership declared that it had no intention of taking Isiro, but would halt at the line which traditionally divided MLC territory from that controlled by RCD-K/ML before the merger. In the early hours of 7 January, however, MLC forces entered Isiro town and RCD-K/ML forces withdrew eastwards. Two days later the MLC forces in control of Isiro claimed to be part of RCD-National, a small splinter group of RCD led by Roger Lumbala. Since then, MLC has advanced further eastward towards the remaining RCD-K/ML strongholds of Bunia, Beni, Butembo and Bafwasende, reportedly with assistance from some local Mayi-Mayi militia fighters. During the month of January, MLC troops continued to advance into territory controlled by RCD-K/ML, led by Mbusa Nyamwisi, under the guise of what was presented as an internal RCD-ML struggle between Mr. Nyamwisi and Mr. Lumbala. On 27 January, the MLC forces captured the town of Bafwasende. This was presented as a victory of RCD-National. The recent territorial gains in the north-east region have not always resulted from military confrontation, but from what appear to be pre-arranged deals between different factions. There was, for instance, no armed confrontation before MLC forces seized Isiro last month.

28. In view of the deteriorating situation in the north-east, my Special Representative, accompanied by the Force Commander, met with the MLC chairman, Jean-Pierre Bemba, in Gbadolite, and the RCD-K/ML President, Mbusa Nyamwisi, and the RCD-K/ML authorities in Beni and Bunia on 5 and 6 February. In all his meetings Mr. Ngongi emphasized that the current fighting was a clear violation of the Lusaka Ceasefire Agreement, called for an immediate halt to the hostilities and urged that the territorial boundaries of each of the two factions be respected. He received the assurances of both Mr. Bemba and Mr. Nyamwisi that that was their basic intent, but it appeared that there was no common view as to where those boundaries lay following the split of the MLC and RCD-K/ML alliance.

29. According to Mr. Bemba's version of events, the current fighting was initiated by RCD-K/ML and had the support of the Government of the Democratic Republic of the Congo. Perceiving this as part of the Government strategy of taking the war to the east, he indicated that in response he was prepared to take retaliatory action in Government-controlled territory. RCD-K/ML for its part asserted that it was a victim of continuing aggression by MLC, acting in collusion with Rwandan forces, and appealed to the international community to intervene urgently to stop the fighting. MONUC has no evidence that Rwandan forces are supporting MLC.

30. My Special Representative also expressed grave concern at the intensifying inter-ethnic strife in Ituri, stressing that it was the responsibility of the administration in place to ensure the security of the population there. MONUC continues to seek more information on such developments, which are harder to monitor since they do not involve established military or militia structures. While Mr. Bemba claimed that during the existence of FLC the security situation in Ituri had significantly improved and attributed the subsequent deterioration to the lack of effective authority in place, Mr. Nyamwisi suggested that the inter-ethnic clashes had intensified owing to deliberate interference by elements that had a vested interest in remaining in the Democratic Republic of the Congo and exploiting its resources.

### The Kivus

31. The situation in the Kivus continues to be highly unstable, with significant operations by RCD/the Rwandan Patriotic Army (RPA) and armed group activity reported over the past four months. However, fears of an offensive by RCD/RPA to capture Moliro, a Congolese Armed Forces (FAC) base on the western shore of Lake Tanganyika, have somewhat subsided amid reports that RPA troop withdrawals occurred in December 2001 and January 2002. Moliro, nevertheless, remains a concern to RCD-Goma, which claims that the disengagement plans entitle it to occupy the town. This claim is contested by FAC, which maintains that Moliro has always been in its possession. MONUC has urged both sides to resolve the dispute peacefully, and will continue to press for a solution to this issue through the Political Committee.

### RCD/MLC joint force

32. On 4 November 2001, RCD and MLC leaders announced their intention to create a joint military force to forcibly disarm armed groups in the eastern Democratic Republic of the Congo. The communiqué issued by the two movements stated that a special joint

force of 4,102 soldiers would be created by 20 December 2001. The tasks of this force, which was originally to be based in Kindu, is to track, disarm and neutralize all "negative forces". Subsequently, RCD and RPA reinforcements have arrived in Kindu, which is an RCD-Goma new defensive position. The military presence in the town is estimated to be two battalions each of RPA and RCD troops. By 18 January, an estimated additional 400 RCD troops had entered the town, apparently to take part in the joint force. By the end of January, between 2,500 and 3,000 troops were said to be in Kindu and the immediate environs. During his meeting with Mr. Bemba on 5 February, my Special Representative raised the issue of the joint force. He stated that it was contrary to the principle of voluntary disarmament, which was agreed to by all parties. Mr. Bemba in response stated that the location of the joint force was to be at Kalemie, but for his part gave assurances that it was not the intention of MLC to hinder the process of voluntary disarmament and that he would allow time for MONUC to carry out phase III. In any case, MONUC has advised MLC and RCD-Goma of the risks of such an approach, which could lead to further violence and is not conducive to the implementation of the Lusaka Agreement and the MONUC mandate.

33. From 23 to 25 January, my Special Representative held consultations with RCD-Goma, and the Governments of Rwanda and Uganda in Goma, Kigali and Kampala, aimed at discussing with these parties the deployment of MONUC to the east. At the meeting with RCD-Goma, Adolphe Onusumba and Azarias Ruberwa expressed the movement's agreement with the Mission's phase III deployment, while reiterating their position that the plans should be discussed by the Political Committee.

34. In Kigali, the Rwandan Special Envoy for the peace process proposed to my Special Representative that a six-month truce be established in the east to facilitate the Mission's phase III deployment and obviate the need for RPA and RCD to increase their presence in the area to counter frequent attacks by armed groups. For his part, President Museveni reiterated his Government's commitment to withdrawing completely from the Democratic Republic of the Congo once the security situation along the Ugandan border stabilized. He also put forward a proposal to convene a special summit of SADC countries, together with members of the Security Council, Rwanda, Uganda, the European Union and the Organization of African Unity, to reach an agreement on a precise timetable for the withdrawal of all foreign forces from the Democratic Republic of the Congo, which would be enforced by sanctions. On 3 February, President Kagame called for a meeting of all signatories to the Lusaka Agreement to move the peace process forward.

### Kindu: alleged Mayi-Mayi attack

35. On 29 December 2001, the MONUC military observer team in Kindu reported medium-to-heavy firing for much of the day. RCD/RPA claimed that approximately 250 Mayi-Mayi fighters had attacked the town with the apparent aim of gaining control of the airfield. However, MONUC military observers found no evidence of casualties among any of the forces said to be involved. Following further investigation, MONUC was informed that a total of 21 civilians had allegedly been killed in the attack of 29 December. It was claimed that some 15 of them had knife and bayonet wounds, information that may not be consistent with an attack by small-arms fire ( see also para. 84).

### Ceasefire violations

36. MONUC has continued to work in close cooperation with the parties to the Lusaka Ceasefire Agreement, to investigate alleged ceasefire violations. As at 14 January 2002, a total of 221 complaints have been received by MONUC; 187 of these complaints (84 per cent) have been made by RCD-Goma, of which 164 allege ceasefire violations by armed groups. Despite the fact that the latter groups are not signatories to the Agreement, MONUC nevertheless conducts investigations where possible. Military observer teams have investigated a total of 92 complaints, of which 71 (77 per cent) have not been proved. However, many complaints could not be investigated, owing to the absence of security guarantees from the complainants for the investigating military observer teams.

## IV. Deployment of the Mission

37. The phase II deployment of MONUC has been concluded successfully. In order to facilitate the expansion of the deployed military observer teams in preparation for phase III, the existing Mission support structure, including administrative and logistical

elements, has been further strengthened, in particular by the establishment of the four coordination centres at Basankusu, Boende, Ilebo and Manono. With the coordination centres quickly attaining full operational effectiveness, the Mission is in a better position to improve logistical support to military observer teams in performing their verification tasks, and to ensure enhanced medical evacuation capacity and increased forward mobility.

38. There are now 55 static military observer teams deployed in the Democratic Republic of the Congo, including additional static teams located along the confrontation line and in the eastern part of the country. Since the eruption of the volcano in Goma on 17 January, the guard company stationed there has been partially transferred to Kisangani, while a small component has remained to assist with humanitarian assistance in Goma. The Joint Military Commission has been co-located with MONUC in Kinshasa and is now working in close cooperation with it.

39. In accordance with the concept of operations for the implementation of step 1 of phase III of the Mission's mandate, as described in my report of 16 October (S/2001/970), MONUC is in the process of establishing a forward headquarters and a forward base in Kindu to provide the necessary access and information to start and support the disarmament, demobilization, repatriation, resettlement and reintegration process. The forward base will consist of a headquarters, a support unit and a task force comprising a reinforced infantry battalion and aviation elements (approximately 2,000 all ranks). An initial strength of 400 all ranks, consisting of an engineering company and guard unit, both from Uruguay, and an embryo forward force headquarters is being deployed. The guard unit will provide security for civilian and military elements during the build-up of the necessary infrastructure for subsequent deployments of the forward task force.

40. MONUC is also in the process of establishing a staging area/transit camp at Kisangani, which will allow for troops and equipment en route to Kindu to convert from transit mode to one of tactical deployment. This vital task, necessary for troops to be fully operational upon arrival in Kindu, is dependent upon and linked to the enhanced MONUC presence in Kisangani, as indicated in paragraphs 42 to 51 below.

41. As noted in my previous report, I had anticipated that the initial deployment of the engineering company and guard unit to Kindu would be completed early in 2002. For several months, MONUC has made considerable efforts with the RCD leadership and with Rwandan officials to obtain the cooperation necessary to commence this deployment and to establish an enhanced presence in Kisangani. After a protracted series of meetings at the highest level and continued consultations at the working level, as well as the support of the French and British Foreign Ministers during their visit to the area in January, MONUC was finally able to commence deploying the unit's engineering equipment to Kisangani on 29 January. This has been followed by the arrival of military personnel to Kisangani during the first and second weeks of February. These units and their equipment are scheduled to be deployed to Kindu, commencing in the third week of February.

**Demilitarization of Kisangani**

42. Under resolution 1376 (2001), the Security Council endorsed the Mission's operational plan for step 1 of its phase III mandate in regard to the disarmament, demobilization and resettlement of armed groups, as described in my previous report. The Council also reiterated its demand that Kisangani be demilitarized and took note of the RCD pledge to demilitarize the city, welcomed my decision to deploy further MONUC personnel there, notably to contribute to the training of civilian police, and welcomed the pledge by the Government of the Democratic Republic of the Congo not to occupy the city militarily.

43. Accordingly, the phase III concept of operations has been amended to reflect support that could be provided for the demilitarization of Kisangani. The Mission has discussed on numerous occasions with RCD-Goma the modalities for the demilitarization of Kisangani, in particular the timing of the withdrawal of RCD troops to locations outside the city, which would be monitored by MONUC military observers. At the same time, it is proposed that additional armed military personnel be deployed to key locations in Kisangani to assist in confidence-building and prevention of hostilities and to foster RCD compliance, as well as to provide security for MONUC installations at these locations. A MONUC civilian police training/advisory programme, coupled with a substantial bilateral effort, would be established to assist and strengthen the local

police force in carrying out its law and order responsibilities (see paras. 48-51). MONUC would also require enhanced political liaison with RCD and other political elements in the city; human rights and civil affairs work with the local community; a strong public information capacity to enhance the work of those components and explain the presence of MONUC to the local population; and quick impact projects to help provide immediate visible assistance to the population. The city should become open to commercial river and air traffic linking it to other parts of the country.

44. A basic principle of MONUC assistance for the demilitarization of Kisangani is that there would be no conditionality between the deployment of MONUC and the implementation of its activities on the one hand, and the demilitarization of the city by RCD on the other.

45. The Mission's principal military tasks in Kisangani would also involve establishing a secure presence at the two airports (Simi Simi and Bangoka), north and south Congo River ports, and patrols between the United Nations locations in Kisangani. MONUC would assist in operationalizing both airports, river ports and the Kisangani-Ubundu railway for its own logistic purposes and facilitate the free circulation of people and goods to and from Kisangani.

46. Two battalions would be required to fulfil the tasks set out above. To support MONUC operations in the demilitarization, a number of logistic and support assets would be required in Kisangani, including a level II medical facility and a ferry unit. The United Nations military observers, reconfigured from the Mission's current strength, would be required to verify and monitor demilitarization of the city. The second battalion would comprise infantry elements, a mechanized mobile reserve and support elements, a total of approximately 500 all ranks.

47. After a careful assessment, therefore, it has been determined that, in order to perform those tasks, the total United Nations military strength at Kisangani would amount to some 1,100 all ranks, including 47 military observers. Accordingly, the existing troop strength of MONUC would have to be augmented by approximately 850 additional personnel.

### Civilian police

48. In accordance with resolution 1355 (2001), a small civilian police unit, consisting of 15 officers, has been established in MONUC to conduct a countrywide assessment of the local police infrastructure, personnel, training facilities and training programmes. Since the adoption of resolution 1376 (2001), the first task of the civilian police unit has been to plan a training/advisory programme to assist in the professionalization of the police force in Kisangani.

49. While RCD-Goma has recommended that a police force of some 4,000 officers be established in Kisangani to compensate for the withdrawal of their troops, MONUC considers that, in view of the size of the local population and the crime statistics, a local police service of some 2,200 officers, based on a community policing methodology, would be appropriate for the city.

50. To assist in the professionalization of the local police, it is recommended that MONUC civilian police officers be present in the 12 police commissariats 24 hours a day, 7 days a week. An additional 13 MONUC police officers would be required to train local trainers, oversee the training programme and fulfil other functions. Hence it is estimated that, in addition to the 15 MONUC civilian police officers already stationed in the country, a further 85 officers would be required to carry out the tasks in Kisangani, initially for a period of 12 months. Two human rights officers would also be required to assist in human rights aspects of the police training and advisory programme. At the same time, MONUC is consulting the United Nations agencies and programmes on possible assistance they could provide to the local police and judiciary.

51. The advisory and training programme in Kisangani should be considered a pilot project, which will be assessed and adopted in other areas of the country as resources allow.

### Political challenges to the demilitarization of Kisangani

52. RCD has declared "irrevocable" the principle that Kisangani be demilitarized, as demanded by the Security Council. However, in discussing the modalities of the demilitarization with MONUC, RCD has claimed that the appointment by the Government of the Democratic Republic of the Congo of governors for the occupied provinces, including Orientale Province, in which Kisangani is located, is a violation of its pledge not to try to recapture the city by force. The Mission has yet to receive any concrete information from RCD on its demilitarization plans.

**Logistic issues**

53. MONUC arguably poses the greatest logistics challenge in the history of United Nations peacekeeping operations. The factors affecting MONUC logistics operations are the sheer physical size of the Democratic Republic of the Congo, its almost total lack of a viable surface transport infrastructure, the fact that it is virtually landlocked, and the extreme deterioration of the local infrastructure in most inland Congolese towns and cities. Given these circumstances, and the required operational time-line, the deployment of incoming contingents would be done by strategic airlift of troops to their intended deployment locations in the Democratic Republic of the Congo. Equipment would be transported to the nearest seaport from where it would be airlifted to the troops' location. Consideration is also given to the need to enhance the capability of railway transportation in the Republic of the Congo, the Democratic Republic of the Congo and the United Republic of Tanzania for the sake of cost-efficiency.

54. The Kisangani-Kindu transport corridor (K2 link) consists of a 120-km rail link from Kisangani, south to Ubundu, and then via the upper reaches of the Congo River to Kindu. The railway line bypasses a stretch of the river that cannot be navigated because of the rapids. Refurbishment of the line, which is badly neglected, would significantly reduce MONUC dependence on expensive air resupply for its forward mounting base in Kindu and is therefore one of the Mission's top priorities. Utilizing funding provided by the United Kingdom Department for International Development (DFID), a study is now under way to assess the scale of this task. It is surveying the port handling equipment at Kisangani, Ubundu and Kindu, the river from Ubundu to Kindu, and the railway line, including its associated infrastructure and rolling stock. DFID has also pledged funds to assist with the rehabilitation of this link. The study is scheduled to be completed in March 2002.

55. In response to the evolving shift of the operational emphasis to the east of the country, MONUC also conducted reconnaissance of alternative supply routes leading from the Indian Ocean coast through Dar es Salaam to Goma to Kisangani-Kindu as well as from the Atlantic Ocean through Pointe-Noire to Brazzaville to Kisangani-Kindu. Once activated, these routes would provide for the cost-effective surface transportation of essential goods and supplies to Kisangani via the combination of sealift and rail/road or barge transportation. In this connection, MONUC envisages the establishment of administrative liaison offices in Brazzaville and Dar es Salaam; active consideration is being given to the opening of a logistic base at Kigoma, United Republic of Tanzania. At the same time, on the basis of the review of operational requirements, the Mission decided to close with effect from 1 January 2002 the logistics base at Camp M'poko at Bangui.

56. The efforts of the MONUC administration to commence vigorous logistical preparations for the entry into phase III have been hampered by delays in securing the cooperation of the RCD authorities with regard to the access to premises required for the accommodation of military contingents, refurbishment of facilities and infrastructure repairs in Kisangani. Furthermore, RCD continued to create obstacles to the free and unimpeded operation of MONUC contractors in the Goma region by levying indirect taxes such as excise duties, refusing to authorize the release of already delivered fuel and water and, in one instance, impounding the contractor's vehicle. As noted above, progress has been made in securing the cooperation necessary to commence phase III deployments. MONUC hopes to build on this cooperation to ensure that deployment henceforth runs more smoothly.

## V. Disarmament, demobilization, repatriation, resettlement and reintegration

57. Since the issuance of my last report (S/2001/970), the Mission's disarmament, demobilization, repatriation, resettlement and reintegration (DDRRR) Division has become operational and has begun working with the parties to the Lusaka Agreement, the Joint Military Commission, and the armed groups. In my last report, I stressed the need for caution in approaching the DDRRR of the armed groups, which are heavily armed, and engage in frequent violent clashes. I have recommended that MONUC should adopt a voluntary approach towards the DDRRR of armed groups, and the Security Council has endorsed that recommendation. That approach is also aimed at promoting the economic and social normalization of the situation in the east and fostering a climate of confidence and security. Convincing the armed groups to repatriate will require clear assurances of safety and security from the Government of Rwanda, as well as reintegration

assistance from the international community. While continuing phase III activities, MONUC has also established contact with a number of groups claiming to represent the Mayi-Mayi, and intends to broaden and deepen those contacts (see para. 18).

58. DDRRR operations will be carried out as an integral part of MONUC deployments in phase III, starting with Kindu, which will be used as a forward mounting base for activities within the zone bounded by the MONUC deployments at Goma and Kalemie. Initially, activities will be primarily gathering information on the armed groups. The MONUC military task force stationed at the forward base in Kindu will spread out in company groups, together with military observers and DDRRR personnel, to sites where armed groups are located, in order to collect information on the groups.

59. The actual disarmament and demobilization of armed groups will, of course, require additional troops. On the basis of information currently available, tentative planning undertaken by MONUC indicates the need to establish 10 reception centres within the Kindu-Goma-Kalemie zone. As currently envisaged, combatants would remain for a brief period of time in the reception centres for weapon collection and destruction. It is particularly important to avoid a situation in which MONUC becomes responsible for building, maintaining and funding long-term camps on Congolese soil, the establishment of which would run counter to the intent of Security Council resolutions and the Lusaka Agreement, whose objective is to secure the earliest return of all foreign forces and militia, together with their families, to their countries of origin. Following the disarmament and initial demobilization process, the former Rwandan combatants would be handed over as soon as possible to the Rwandan authorities, which would be responsible for their resettlement and reintegration, or as appropriate, to the International Tribunal at Arusha.

60. In addition to the robust military presence at Kindu, a significant civilian presence in the town and in the reception centres around it, including civilian political, DDRRR, human rights, and humanitarian officers is planned. A concerted public information campaign would also be essential to keep the members of armed groups and their dependants, and the local authorities and population, fully informed about MONUC activities and the DDRRR programme. MONUC and the Department of Peacekeeping Operations have convened working groups with the various agencies and, in the case of the Department of Peacekeeping Operations, the Secretariat departments to consult and coordinate the DDRRR plan. The United Nations organizations and bodies, including UNICEF, WFP, WHO and UNHCR, will be expected to play a crucial role at the reception centres to be established in the east for the disarmament and initial demobilization of the armed groups. In this connection, the Secretariat is awaiting feedback from those organizations and bodies on a list provided to them of the roles each could play in this process. MONUC and the Secretariat are also closely coordinating activities with the World Bank, which is expected to play the lead funding role for the repatriation, resettlement and reintegration component of the plan, to be carried out after the return of the ex-combatants to Rwanda.

**Rwandan combatants at Kamina**

61. Subsequent to my visit to the Democratic Republic of the Congo in September 2001, President Kabila invited MONUC to participate in the demobilization of up to 3,000 unarmed combatants, said to be Rwandans, at the Government's military base at Kamina (Katanga Province). Between 28 October and 28 December, in cooperation with a team designated by the Government of the Democratic Republic of the Congo, MONUC DDRRR personnel interviewed individually all the men presented to them at Kamina, as well as at Lubumbashi and Kinshasa.

62. MONUC screened a total of 1,981 combatants, and concluded that all were fluent speakers of Kinyarwanda; they had with few exceptions received military training; and were in military formation and uniform. While the men were not armed, MONUC could not attest that the men had been disarmed or demobilized. No information was provided about the arms the combatants had borne. All the combatants refused to answer questions that would enable them to be explicitly identified, including those that concerned their home district and their family. They took this position on the advice of the Forces démocratiques de libération du Rwanda, which claimed to represent them and which, as part of the delegation of the Government of the Democratic Republic of the Congo, attended all the interviews. FDLR has issued a number of political demands of the Government of Rwanda, including the demand for the launching of an "inter-Rwandan dialogue".

63. MONUC is currently working with the Governments of the Democratic Republic of the Congo and Rwanda to find a way of facilitating the repatriation and resettlement of these men. Despite initiatives towards this end, including a proposal put forward by the Foreign Ministers of France and the United Kingdom on the occasion of their visit to the region from 21 to 23 January, to repatriate some of the ex-combatants there has yet to be much progress in this regard. Recent events have indicated that President Kabila intends to actively resolve the issue of Kamina. The Government has recently proposed to move the combatants to another location, away from the front line, in order to exercise effective control over the troops.

#### Demobilization of child soldiers

64. UNICEF has recently reached agreement with RCD for the demobilization, demilitarization and social reinsertion of 2,600 child soldiers attached to the RCD forces. MONUC will collaborate closely with UNICEF to provide logistical support, and in the planned establishment of four transit and orientation camps in Kisangani, Goma and Bukavu. Separately, the Government of the Democratic Republic of the Congo has agreed to the demobilization of 4,000 child combatants, 300 of whom have already been demobilized.

## VI. Public information

65. There is no single media source in the Democratic Republic of the Congo currently available to deliver targeted, credible information. This fact, combined with the rapid expansion of MONUC, explains the need for an enhanced public information capacity. Accordingly, an agreement was signed with the Swiss non-governmental organization, Fondation Hirondelle, which has previously collaborated with United Nations peacekeeping missions, to establish a network of radio stations covering the country.

66. The radio network, known as Radio Okapi, is set to increase its on-air operations progressively following an initial start-up in Kinshasa and the eastern Democratic Republic of the Congo late in February. Construction of radio studios in Kinshasa and at sector headquarters in Mbandaka, Kananga, Kisangani and Kalemie is well under way. Studios and relays are also projected for Gbadolite, Kindu, Bukavu and Bunia.

67. Programming on Radio Okapi, in keeping with objectives for the public information department as a whole, is to promote better understanding of the peace process, and of the mandate of the Mission, as well as the activities of other international and national organizations operating in the country. On MONUC, programming will focus on the substantive units, in particular, DDRRR, human rights, child protection, humanitarian affairs, political affairs, and the office of the Special Representative of the Secretary-General. Contact with the office of the neutral facilitator will provide necessary coverage of the inter-Congolese dialogue.

## VII. Situation in Goma

68. On 17 January Mount Nyiragongo, situated 10 km north of Goma, erupted, sending lava flows into Goma town and its environs. In the hours after the eruption, approximately 350,000 inhabitants fled, the majority going across the border to Rwanda. The lava flows, which cut the town of Goma in two, caused serious damage to the airstrip. MONUC conducted an orderly evacuation across the border into Rwanda of most of its logistical supply base and the military contingent camp. There were no serious United Nations casualties. The four MONUC aircraft based at Goma were moved to Kigali and Gisenyi.

69. Most of those displaced have since returned to Goma. Estimates are that 20 to 30 per cent of Goma town has been destroyed and up to 80,000 people have been made homeless. Humanitarian assistance activities including the distribution of food and non-food items are ongoing. MONUC, which has made a significant contribution to the alleviation of this tragic situation, has been working closely with humanitarian organizations to provide tents and other emergency assistance to those made homeless, as well as to assist in any way possible. To date MONUC air and land assets have transported over 30 tons of aid assistance to Goma.

70. The extent of the damage and the implications for MONUC operations based in Goma are yet to be calculated, but are believed to be serious. There is a strong likelihood that MONUC will need to relocate some of its logistic facilities for the eastern Democratic Republic of the Congo from Goma to another site in the region. Early estimates from volcanologists brought to the area by the United Nations have not ruled out the

possibility of further serious eruptions and seismic movements in and around Mount Nyiragongo.

## VIII. Humanitarian situation

71. The overall humanitarian situation continues to be characterized by grievous human rights violations, chronic food insecurity, population displacement, and outbreaks of infectious disease. Poor security conditions significantly limit the access of humanitarian agencies, and the humanitarian situation in the east of the Democratic Republic of the Congo remains particularly precarious.

72. The prevailing insecurity significantly restricted the ability of humanitarian agencies to assist populations in need. In some locations in North and South Kivu, Maniema and northern Katanga, agencies were forced to suspend operations because of insecurity and localized violence. In Ituri, threats and harassment forced agencies to restrict their movements to Bunia town. Insecurity often forces humanitarian agencies to rely on expensive air transport, further hampering humanitarian assistance efforts.

73. From September until December 2001, there was a significant outbreak of meningitis in South Kivu. Cholera outbreaks were also recorded throughout the eastern Democratic Republic of the Congo, from Goma in the north to Lubumbashi in the south, and it is believed that more than 100 people died from cholera, which is endemic to this region, during the reporting period.

74. In December 2001, heavy rains caused serious flooding in Mbandaka. More than 13,000 people, of whom 3,000 were children under five years of age, were affected. Crops were destroyed and many people were left homeless. In Mbandaka, Gbadolite and more especially in the more remote areas of Equateur Province, MONUC has observed that the majority of children under 5 suffer from malnutrition, that child mortality rates are reportedly unacceptably high and that the expanded vaccination programme in Gbadolite has been interrupted since mid-2000. MONUC is working with UNICEF, WHO and the Office for the Coordination of Humanitarian Affairs to provide the necessary logistical support to reinvigorate the child health and vaccination programmes.

75. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), there are 368,800 refugees in the Democratic Republic of the Congo. UNHCR has commenced the voluntary repatriation of 5,000 refugees from the Central African Republic, and is working with RCD officials to pursue the voluntary repatriation of Rwandan refugees. More than 6,600 Rwandan refugees have been repatriated during 2001. UNHCR also reports that many of the more than 75,000 Sudanese refugees in Orientale Province receive no humanitarian assistance as security constraints make it impossible for humanitarian agencies to reach them.

76. In October and November 2001, MONUC, UNHCR and the local authorities undertook the delicate task of separating the former military personnel from the Central African Republic who had sought refuge in the Democratic Republic of the Congo in May 2001 from the civilian refugees who had fled at the same time. MONUC military observers supervised the transfer of 1,215 ex-military from Zongo to a specially prepared site in Bokilio, 120 km from Bangui. The Bokilio camp is managed by the local authorities, and food and other humanitarian assistance is provided by the United Nations and its non-governmental organization partners. Following an information campaign carried out by UNHCR, 21,000 civilian refugees were transferred to a site at Mole, 30 km from Zongo.

77. In the meantime, the economic and social situation throughout the country continues to deteriorate rapidly, poverty and unemployment having reached intolerable levels. The economic buying power of the population is non-existent. The majority of the population survives on informal economic activities, mainly carried out by women. As a result of the destruction of essential infrastructure, such as hospitals, schools and roads, the basic needs of the population, especially women and children, are still not being met. In particular, enrolment rates in educational institutions continue to decrease significantly, particularly among girls.

78. Efforts to follow the success of the initial "humanitarian barge" sent from Kinshasa to Kisangani are continuing. Since the beginning of February, seven barges have been launched from Kinshasa to Equateur Province (Boende) and Kisangani, primarily with MONUC materiel, and some humanitarian aid. The Office for the Coordination of Humanitarian Affairs is leading negotiations with the parties on a similar

voyage and has identified items to be purchased and distribution sites on both sides of the front line.

79. On 27 November, the United Nations and its humanitarian partners released the 2002 consolidated appeal for the Democratic Republic of the Congo. The appeal requested $194 million to fund humanitarian relief and recovery programmes. The 2001 consolidated appeal had requested $139 million, of which $79 million (65 per cent) was received in pledges from donors. The increase in the size of the appeal is a testament to the growing humanitarian needs in the Democratic Republic of the Congo.

## IX. Human rights

### Territory controlled by the Government

80. Notwithstanding the stated intention of the Government of the Democratic Republic of the Congo to improve the human rights situation in the territory under its control, human rights violations persist. The detention centres, whose closure was ordered by President Kabila in March 2001, remain open, and numerous persons continue to be arbitrarily detained for extended periods of time without trial. Prisons are extremely overcrowded and characterized by deplorable living conditions.

81. In spite of the adoption in May 2001, during the visit of the Security Council mission to Kinshasa, of a presidential decree liberalizing the activities of political parties, as well as the signing of the Republican Pact at Gaborone, members of the unarmed political opposition are still subject to arbitrary arrest and restrictions on their freedom to assemble. Journalists have also been subjected to arbitrary arrest and detention.

### Territory controlled by the rebel movements

82. The population in the north-eastern Democratic Republic of the Congo is subject to growing insecurity owing to the confrontations between rebel movements and armed groups operating in the area. The inter-ethnic clashes, particularly in Ituri and North Kivu, have also resulted in a number of gross human rights violations. The civil and military authorities appear incapable of restoring peace and protecting the population, which has become a target of atrocities.

83. In Goma and Bukavu, where it is reported that human rights violations and disappearances continue with almost total impunity, reprehensible acts are reportedly being perpetrated by armed escorts or bodyguards of political or military authorities. Similar reports have come from localities peripheral to Kisangani where the population is confronted by widespread extortion on the part of the military, and is offered no protection by the administration. Villagers have been forced to abandon their homes to seek refuge in the forest.

84. On 29 December in Kindu, 21 civilians were reportedly massacred during an apparent attack (see para. 35). Following that incident, RCD-Goma has also reportedly arrested some 100 to 150 civilians in the area. MONUC has insisted that RCD-Goma, as the de facto authority in the area, conduct a full investigation, and has also launched its own independent human rights inquiry into the events of 29 December.

### Child protection

85. On 18 December, President Kabila launched the demobilization programme of some 2,600 FAC child soldiers, which was facilitated by UNICEF, MONUC and the Bureau national pour la démobilisation et la réinsertion (BUNADER). The children will be hosted for a period of three months in transit centres operated by BUNADER, and financed by UNICEF; and will receive psychosocial assistance before being reunited with their families. MONUC will provide transportation for the children to return to their villages of origin.

86. An agreement has also been reached with the RCD authorities in December by which the latter agreed to establish DDRRR subcommittees in the provinces under its control. In addition, MONUC has been engaged in carrying out mapping exercises of the presence of child soldiers and the capacities of local non-governmental organizations by region, in order to plan a well-coordinated demobilization in the medium term.

87. Despite the aforementioned recent progress, however, the commitments elicited by my Special Representative for Children and Armed Conflict for the protection of child soldiers are far from being fully implemented in RCD- and MLC-controlled areas. In locations in many parts of the Democratic Republic of

the Congo, children continue to serve in active combat positions and suffer forced recruitment.

88. MONUC child protection advisers, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and UNICEF have begun to review the situation of children in conflict with the law, particularly those being held in detention. MONUC staff in Kalemie successfully secured the transfer of three children from an adult prison to a children's centre pending trial. In Goma, in cooperation with OHCHR, MONUC was able to obtain the release of two groups of three children from the Central Prison in December.

89. UNICEF and its partner, the Bureau catholique pour l'enfance, continue to monitor and assist in the cases of former child soldiers who are being detained and tried in military courts. Recently two former child soldiers who had been condemned to death by the Military Tribunal in Kinshasa were released, and a retrial was ordered for two others.

## X. Financial aspects

90. The General Assembly, by its resolution 56/252 of 24 December 2001, appropriated an amount of $193.2 million for MONUC for the period from 1 January to 31 March 2002 in addition to the $200 million for the period from 1 July to 31 December 2001 pending the review of my proposed budget for the Mission for the full period 2001-2002 later in the fifty-sixth session of the Assembly.

91. Since its establishment in October 1999, the Trust Fund to support the peace process in the Democratic Republic of the Congo has received voluntary contributions amounting to $1.1 million, with expenditures authorized to date in the amount of $900,000.

92. As at 31 December 2001, unpaid assessed contributions to the MONUC special account amounted to $140.4 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $1,918.7 million.

## XI. Observations

93. After extensive and difficult work aimed at consolidating the positive gains of the year 2001, MONUC is now implementing the third phase of its deployment in the Democratic Republic of the Congo, a phase which presents it with the most serious and complex tasks it has yet faced. These challenges, and the ways in which MONUC proposes to confront them, were described in my report of 16 October (S/2001/970, paras. 59-83).

94. Already the difficulties of phase III deployment have become apparent. MONUC has faced serious obstruction and delays in deploying to Kisangani and Kindu, as well as in its efforts to repatriate the group of combatants from Kamina. No major change has been observed in the positions of the countries with foreign forces stationed in the Democratic Republic of the Congo, and Uganda has even announced its intention to send some troops back into the north-eastern part of the country at three points near the border. I renew my call for all foreign countries with troops in the Democratic Republic of the Congo to withdraw them in accordance with Security Council resolutions and the Lusaka Agreement.

95. Nor has much progress been made on the demilitarization of Kisangani, despite the public commitment made by the RCD leadership at the meeting of the Political Committee with the Security Council on 9 November. As my Special Representative has made clear to RCD, the assistance that MONUC is mandated to provide with respect to the modalities of demilitarization, including the formation and training of a police force, is in no way linked to and in no way attenuates the direct obligation to comply promptly and unconditionally with Security Council resolutions demanding the demilitarization of Kisangani: the town must be demilitarized.

96. The adjusted concept of operations I proposed in this report to ensure the implementation of resolution 1376 (2001) for the first step of phase III requires considerable resources to be placed at the Mission's disposal. The magnitude of the crisis facing the Democratic Republic of the Congo deserves an adequate response from the international community. The civilian units of MONUC, including the political, DDRRR, humanitarian, human rights, child protection and public information components, as well as civilian police officers, will all assume increasingly important roles as the centre of gravity of the Mission moves eastwards, and must be staffed and supported accordingly. The Mission's logistical requirements will continue to be significant. The Security Council is

aware of the extreme difficulties posed by the huge extent of the territory, and the degraded quality of the roads and communications infrastructure.

97. From the careful assessments undertaken recently, it is obvious that MONUC will not be able to undertake the military tasks associated with the demilitarization of Kisangani and fulfil the tasks outlined in step 1 of its phase III mandate with its current troop strength. It would be unrealistic to request the Mission to do so, particularly in the security environment existing today in the Democratic Republic of the Congo. I therefore recommend that the Security Council consider increasing the authorized military strength of MONUC by 850 all ranks as outlined in paragraphs 42 to 47 above. I also recommend that the Security Council endorse the increased civilian police strength of 85 officers required to undertake the training and advisory tasks outlined in paragraphs 48 to 51. Therefore, the establishment of a logistic base in the east of the country would facilitate future MONUC deployments, particularly important in the light of the recent dramatic events in Goma, as well as assist in effective deployments to Kindu.

98. At the same time, the Security Council should be aware that MONUC has already begun to take steps to reduce the costs and risks of air transportation. Already seven MONUC barges are helping to supply contingents along the inland waterway system, and have delivered heavy engineering equipment to Kisangani in connection with the phase III deployment there. This development, and MONUC cooperation with the Federation of Congolese Enterprises, the Government of the Democratic Republic of the Congo and MLC to launch a commercial convoy will supplement the humanitarian use of the Congo River and encourage its wider general use in this context. I appeal to RCD to reconsider once again its opposition to the commercial navigation of the river, and to cooperate with MONUC in allowing commercial river traffic to proceed. I note with satisfaction that the study to determine the costs of rehabilitating the railway track between Kisangani and Ubundu and the related port works has already begun, and is scheduled to make its report in March.

99. MONUC moved quickly and effectively, in close cooperation with the specialized agencies, to succour the people of Goma following the eruption of Mount Nyiragongo on 17 January and the succeeding eruptions and aftershocks. I extend my deepest sympathy to the people of Goma and the surrounding area, and my sincere condolences to the families of those who lost their lives. As I have informed the Security Council, I propose that MONUC continue to place some of its assets at the temporary disposal of relief efforts. As the humanitarian agencies increasingly take over, MONUC personnel will resume the implementation of their primary mandate. My particular thanks go to the members of the MONUC Moroccan contingent for their tireless efforts in conveying food and other aid supplies to Goma amid the hazardous conditions created by the continuing eruptions, earthquakes and emissions of harmful gases, as well as to the civilian staff of MONUC and the specialized agencies whose support was unstinting. I would also like to thank the Government of Rwanda for the assistance it provided to MONUC in evacuating its staff.

100. The coming phase of MONUC activities will require still higher levels of cooperation, both among the parties, as signatories of the Lusaka Ceasefire Agreement, and between the parties and MONUC. Regrettably, the cooperation MONUC has received so far has not always been satisfactory. I call on the Lusaka signatories to demonstrate anew their commitment to carrying out the agreement they have signed and to display the necessary seriousness of purpose and resolve. They should avail themselves of the unique opportunity created by the presence of MONUC to reach a viable solution to the conflict.

101. RCD and the Government of Rwanda have a particular responsibility in this respect, since it is in the territory that they control that MONUC is now deploying and in which phase III DDRRR operations will be conducted. Both assured me, during my visit to the region in September 2001, that they would support the Mission's deployment and operations. Both were present as members of the Political Committee when, on 9 November 2001, the Security Council adopted resolution 1376 (2001) mandating MONUC to undertake these operations. I therefore expect their full cooperation.

102. However, I expect no less from the Government of the Democratic Republic of the Congo. The failure so far to repatriate the Rwandan combatants from Kamina is a source of concern. I note that, though the Government of Rwanda had reportedly prepared camps to receive the combatants, the men's refusal to return

was apparently due to the firm position adopted by the Forces démocratiques de libération du Rwanda. I call on the Government of the Democratic Republic of the Congo to use all its influence to promote the early return of all Rwandan combatants now on the territory of the Democratic Republic of the Congo, including those at Kamina. To that end, the Governments of the Democratic Republic of the Congo and Rwanda are strongly encouraged to consider entering into an agreement to create a legal and political framework to facilitate the achievement of this objective. Both Governments may also wish to consider the possibility of an initial visit of a small number of Kamina ex-combatants to Rwanda to view the reintegration programme there and to share their impressions with other ex-fighters.

103. The inter-Congolese dialogue is scheduled to resume, as announced, at the end of February, in South Africa. I commend the neutral facilitator, Sir Ketumile Masire, for his tireless efforts, and encourage donors to continue to fund his operations in support of this essential task. I call on the Congolese parties to work with the facilitator and with each other towards the goals of the dialogue and the restoration of Congolese territorial integrity and national unity. MONUC and the United Nations will continue to lend their support.

104. The Security Council may wish to consider endorsing the revised concept of operations contained in the present report. It is also recommended that MONUC be given the task of assisting UNICEF in the demobilization of child soldiers throughout the country. The Security Council may also wish to acknowledge the logistical support that MONUC provides to the neutral facilitator and to encourage the provision of additional support if, as is my hope and expectation, the dialogue and its associated activities intensify during the coming months.

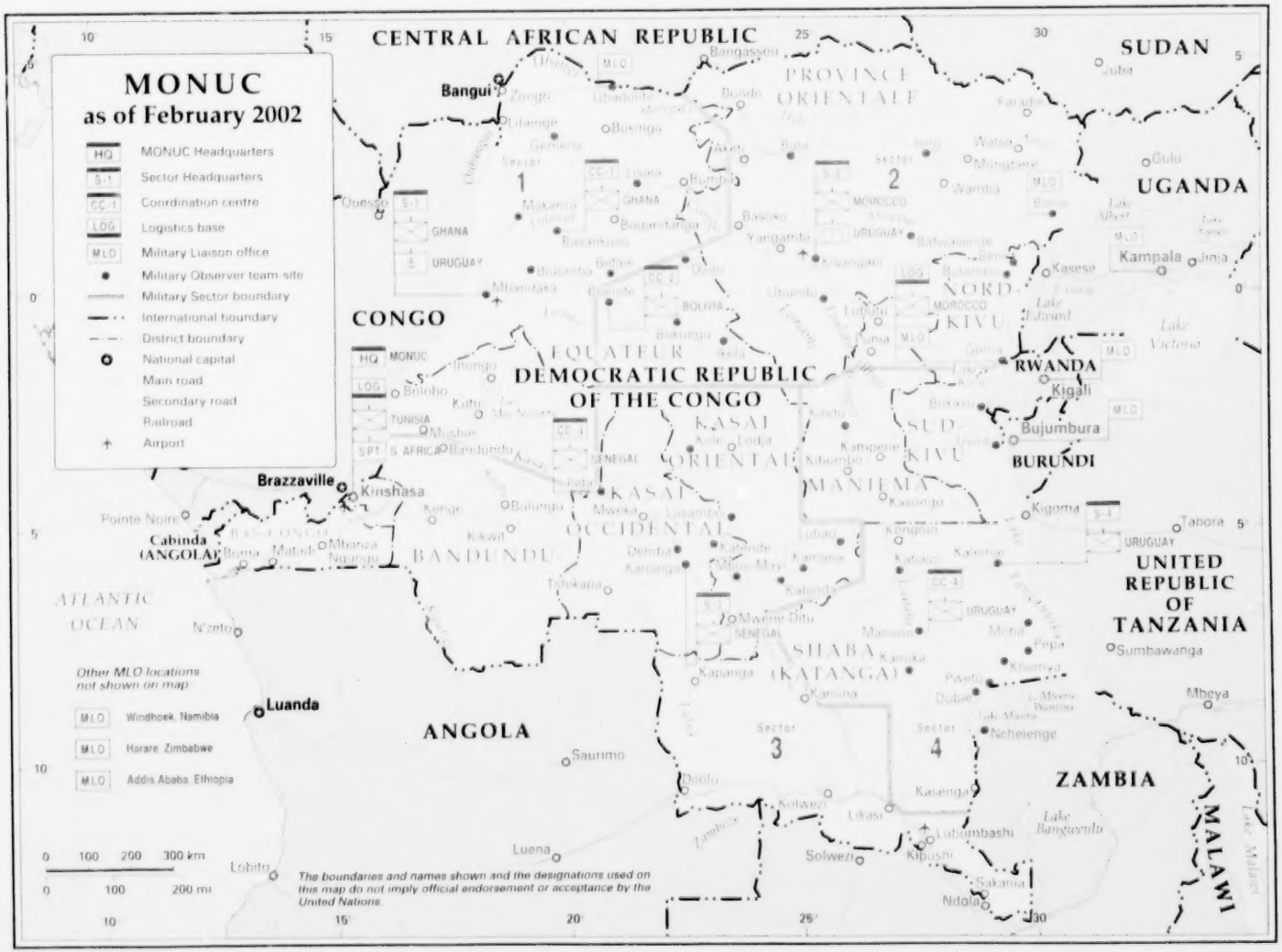
105. Finally, I reiterate my appreciation to my Special Representative, Amos Namanga Ngongi, to the Force Commander, Major General Mountaga Diallo, and to all the women and men of MONUC, military and civilian, for their continued efforts, often in very trying circumstances.

## Annex

### United Nations Organization Mission in the Democratic Republic of the Congo: contributions as at 15 February 2002

| | *Military observers* | *Staff officers* | *Civilian police* | *Troops* | *Total* |
|---|---|---|---|---|---|
| Algeria | 13 | | | | 13 |
| Argentina | | | 2 | | 2 |
| Bangladesh | 13 | 9 | | | 22 |
| Benin | 18 | 2 | 1 | | 21 |
| Belgium | | 5 | | | 5 |
| Bolivia | | 1 | | 202 | 203 |
| Burkina Faso | 11 | | | | 11 |
| Canada | 1 | 5 | | | 6 |
| Cameroon | | 1 | | | 1 |
| China | 9 | 1 | | | 10 |
| Czech Republic | 4 | 1 | | | 5 |
| Denmark | | 2 | | | 2 |
| Egypt | 24 | 2 | | | 26 |
| France | 1 | 2 | | 3 | 6 |
| Ghana | 18 | 1 | | 399 | 418 |
| India | 22 | 7 | | | 29 |
| Indonesia | 3 | 7 | | | 10 |
| Ireland | 1 | 1 | | | 2 |
| Italy | | 3 | | | 3 |
| Jordan | 18 | 9 | | | 27 |
| Kenya | 14 | 14 | | | 28 |
| Malawi | 16 | | | | 16 |
| Malaysia | 7 | 11 | | | 18 |
| Mali | 22 | 1 | 2 | | 25 |
| Morocco | | 4 | | 613 | 617 |
| Mozambique | 2 | | | | 2 |
| Nepal | 15 | 1 | 2 | | 18 |
| Niger | 11 | 1 | 2 | | 14 |
| Nigeria | 24 | 2 | | | 26 |
| Norway | 4 | 1 | | | 5 |
| Pakistan | 22 | 16 | | | 38 |
| Paraguay | 16 | 1 | | | 17 |
| Peru | 3 | | | | 3 |
| Poland | 3 | | | | 3 |
| Portugal | | | 2 | | 2 |

| | *Military observers* | *Staff officers* | *Civilian police* | *Troops* | *Total* |
|---|---|---|---|---|---|
| Romania | 26 | | | | 26 |
| Russian Federation | 27 | 2 | | | 29 |
| Senegal | 7 | 17 | 2 | 460 | 486 |
| South Africa | 1 | 8 | | 88 | 97 |
| Spain | | 1 | | | 1 |
| Sweden | 2 | | 2 | | 4 |
| Switzerland | | 1 | | | 1 |
| Tunisia | 19 | 4 | | 220 | 243 |
| United Kingdom | | 6 | | | 6 |
| Ukraine | 10 | 2 | | | 12 |
| Uruguay | 24 | 20 | | 773 | 817 |
| Zambia | 10 | 4 | | | 14 |
| **Total** | **441** | **176** | **15** | **2 758** | **3 390** |

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